



**REGULAR CITY COUNCIL MEETING  
CITY COUNCIL CHAMBERS – CITY HALL  
#1 CITY HALL PLACE  
MONDAY, JANUARY 9, 2023 - 7:00 PM  
MINUTES**

**A. CALL TO ORDER**

President Graham called the meeting to order at 7:07 p.m.

**B. INVOCATION**

**C. PLEDGE OF ALLEGIANCE**

**D. ROLL CALL**

**Council Members Present:** Larry Atencio, Dennis Flores, Heather Graham, Regina Maestri, Sarah Martinez, Vicente Martinez Ortega, Lori Winner.

**Council Members Present via Zoom:** None.

**Council Members Absent:** None.

**Administrative Staff Members Present:** Mayor Nicholas Gradisar, Chief of Staff Laura Solano, City Attorney Daniel Kogovsek, City Clerk Marisa Stoller.

**E. ELECTION OF 2023 OFFICERS**

Councilor Winner, seconded by Councilor Maestri, nominated Larry Atencio for City Council President.

Councilor Martinez, seconded by Councilor Martinez Ortega, nominated Heather Graham for City Council President.

Councilors voted via secret ballot; result was 3 votes for Larry Atencio, 4 votes for Heather Graham. Heather Graham was named City Council President.

President Graham, seconded by Councilor Martinez Ortega, nominated Dennis Flores as City Council Vice President.

Roll Call - **Ayes:** Atencio, Flores, Graham, Maestri, Martinez, Martinez Ortega, Winner. **Nays:** None. Motion Passed 7-0. Dennis Flores was named City Council Vice President.

President Graham nominated Sarah Martinez as Chair of the Executive Committee. Councilor Martinez accepted.

**F. SPECIAL RECOGNITIONS**

**G. PUBLIC FORUM**

- Frank Arteaga - Gun Exchange Program
- Fred Galves - MLK Day of Service
- Shaylan Wilson - MLK Day of Service
- Karen Blagg - Homeless/Assault
- Steve Villegas - Many topics
- Jocquelyn Montanez - Reproductive Health

## **H. COUNCIL MEMBER AND MAYOR COMMENTARY**

Mayor Gradisar congratulated the newly elected officers and looks forward to continuing to work with Council in the new year. He highlighted the State of the City address on Friday and that there are great things going on in Pueblo as well as the problems the City faces.

Council members expressed comments regarding community-related issues and events/functions they attended.

## **I. REVIEW AND APPROVAL OF AGENDA**

Councilor Martinez, seconded by Councilor Flores, moved to approve the agenda as distributed.

Roll Call - **Ayes:** Councilor Atencio, Councilor Flores, President Graham, Councilor Maestri, Councilor Martinez, Councilor Martinez Ortega, Councilor Winner. **Nays:** None. Motion Passed 7-0.

## **J. READING AND APPROVAL OF MINUTES**

### **J1 CITY COUNCIL MINUTES FOR DECEMBER 27, 2022**

Councilor Martinez Ortega, seconded by Councilor Flores, moved to dispense with the reading and approve the Minutes of the Regular Meeting dated **December 27, 2022** as distributed.

Roll Call - **Ayes:** Councilor Atencio, Councilor Flores, President Graham, Councilor Maestri, Councilor Martinez, Councilor Martinez Ortega, Councilor Winner. **Nays:** None. Motion Passed 7-0.

## **K. CONSENT AGENDA**

## **L. COMMUNICATIONS**

## **M. RESOLUTIONS**

### **M1 A RESOLUTION RATIFYING AN EMERGENCY CONSTRUCTION CONTRACT IN THE AMOUNT OF \$3,964.40 WITH PARKER EXCAVATING, INC. FOR EMERGENCY SANITARY SEWER POINT REPAIR AT 616 E D ST, PROJECT NO. 20-059 (WWAN03) AND APPROVING THE PURCHASING AGENT'S EXECUTION OF SAME**

This Resolution was assigned as 15110.

### **M2 A RESOLUTION RATIFYING AN EMERGENCY CONSTRUCTION CONTRACT IN THE AMOUNT OF \$33,252.95 WITH PARKER EXCAVATING, INC. FOR EMERGENCY SANITARY SEWER POINT REPAIR AT 125 RIVERWALK PL,**

**PROJECT NO. 20-059 (WWAN03) AND APPROVING THE PURCHASING AGENT'S EXECUTION OF SAME**

This Resolution was assigned as 15111.

- M3 A RESOLUTION APPROVING AND ACCEPTING A COLORADO DEPARTMENT OF LAW PEACE OFFICER STANDARDS AND TRAINING (POST) GRANT, JULY 1, 2022, THROUGH JUNE 30, 2023, ESTABLISHING PROJECT NUMBER PS2215, TRANSFERRING FUNDS NOT TO EXCEED THE AMOUNT OF \$4000 FROM PROJECTS-TO-BE-DETERMINED IN THE PUBLIC SAFETY LEADERSHIP DEVELOPMENT GRANT FUND**

This Resolution was assigned as 15112.

- M4 A RESOLUTION AUTHORIZING THE ISSUANCE OF A REVOCABLE PERMIT TO FUEL AND IRON RESIDENTIAL, LLC FOR THE USE OF THE S. MAIN STREET RIGHT-OF-WAY WITHIN THE CITY OF PUEBLO TO CONSTRUCT, OPERATE, AND MAINTAIN A VEHICLE PARKING LOT**

This Resolution was assigned as 15113.

- M5 A RESOLUTION APPROVING REVISIONS TO THE STANDARD CONSTRUCTION SPECIFICATIONS AND STANDARD DETAILS FOR THE CITY OF PUEBLO**

This Resolution was assigned as 15114.

- M6 A RESOLUTION ACCEPTING AN EASEMENT FOR PUBLIC SANITARY SEWER UTILITIES FROM CLARK SPRING WATER COMPANY WITH RESPECT TO PARCEL 1501142020**

This Resolution was assigned as 15115.

- M7 A RESOLUTION FIXING AN ALTERNATE DAY FOR THE REGULAR CITY COUNCIL MEETING CURRENTLY SCHEDULED FOR THE SECOND MONDAY IN OCTOBER 2023 AND THE FOURTH MONDAY IN DECEMBER 2023**

This Resolution was assigned as 15116.

- M8 A RESOLUTION DESIGNATING PUBLIC PLACES FOR THE POSTING OF NOTICE OF MEETINGS FOR THE PUEBLO CITY COUNCIL FOR THE YEAR 2023**

This Resolution was assigned as 15117.

- M9 A RESOLUTION DESIGNATING A PUBLIC PLACE FOR THE POSTING OF NOTICE OF MEETINGS FOR ALL BOARDS, COMMISSIONS, AND COMMITTEES OF THE CITY OF PUEBLO FOR THE YEAR 2023**

This Resolution was assigned as 15118.

- M10 A RESOLUTION CONFIRMING THE APPOINTMENT BY THE MAYOR OF JUSTIN BOWEN TO THE SANGRE DE CRISTO ARTS & CONFERENCE CENTER BOARD OF TRUSTEES**

This Resolution was assigned as 15119.

- M11 A RESOLUTION CONFIRMING THE APPOINTMENT BY THE MAYOR OF**

## **TURA COWAN TO THE PUEBLO ADA ADVISORY COMMITTEE**

This Resolution was assigned as 15120.

### **M12 A RESOLUTION CONFIRMING THE APPOINTMENT BY THE MAYOR OF BENJAMIN CALDERA TO THE PUEBLO HUMAN RELATIONS COMMISSION**

This Resolution was assigned as 15121.

## **N. ORDINANCES – FIRST PRESENTATION**

### **N1 AN ORDINANCE ESTABLISHING PROJECT PL2203 FOR COLORADO SMELTER REVITALIZATION PROJECT SUPPORT, AND BUDGETING AND APPROPRIATING FUNDS IN THE AMOUNT OF \$22,000 TO SAID PROJECT ACCOUNT.**

### **N2 AN ORDINANCE ESTABLISHING PROJECT PL2101 FOR SAFE ROUTES TO SCHOOL FOR HAAFF ELEMENTARY SCHOOL, APPROVING AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF PUEBLO, A COLORADO MUNICIPAL CORPORATION, AND THE STATE OF COLORADO, ACTING BY AND THROUGH THE COLORADO DEPARTMENT OF TRANSPORTATION, PROJECT: SAR M086-094 (24468), BUDGETING AND APPROPRIATING FUNDS IN THE AMOUNT OF \$279,180 AND AUTHORIZING THE MAYOR TO EXECUTE SAME**

### **N3 AN ORDINANCE APPROVING THE FOURTH AMENDMENT TO THE ANNEXATION AGREEMENT FOR THE AREA COMMONLY KNOWN AND DESCRIBED AS NORTH OF RED CREEK SPRINGS ROAD AND EAST OF THE GOODNIGHT ARROYO, AS APPROVED BY ORDINANCE NO. 7241**

## **O. APPROVAL OF CONSENT AGENDA**

Councilor Martinez Ortega, seconded by Councilor Flores, moved to approve all Resolutions Set Forth in the Consent Agenda, Pass the Ordinances of the Consent Agenda, Setting the Public Hearings for January 23, 2023, and Order the Ordinances to be published BY TITLE.

Roll Call – **Ayes:** Councilor Atencio, Councilor Flores, President Graham, Councilor Maestri, Councilor Martinez, Councilor Martinez Ortega, Councilor Winner. **Nays:** None. Motion Passed 7-0.

## **P. REGULAR AGENDA**

## **Q. RESOLUTIONS**

### **Q1 A RESOLUTION AUTHORIZING PAYMENT FROM PROJECT CI2113 - AMERICAN RESCUE PLAN ACT FOR THE PURCHASE OF 718 W. 4TH STREET, PUEBLO CO 81003, FOR PURPOSES OF PROVIDING AN OUTDOOR SHELTER FOR HOMELESS INDIVIDUALS WHO WERE DISPROPORTIONATELY IMPACTED BY THE COVID-19 PANDEMIC, AS AUTHORIZED BY SECTION 603 OF THE AMERICAN RESCUE PLAN ACT AND**

## **U.S. TREASURY FINAL RULE 31 CFR 35.6**

A staff report and detailed review of the Resolution was given by Daniel Kogovsek, City Attorney.

Councilor Martinez Ortega, seconded by Councilor Flores, moved to approve the Resolution.

Roll Call - **Ayes:** Councilor Atencio, Councilor Flores, President Graham, Councilor Martinez, Councilor Martinez Ortega. **Nays:** Councilor Maestri, Councilor Winner. Motion Passed 5-2.

This Resolution was assigned as 15122.

### **Q2 A RESOLUTION AUTHORIZING PAYMENT OF TWO HUNDRED NINETY THOUSAND FOUR HUNDRED DOLLARS (\$290,400) FROM PROJECT CI2113 - AMERICAN RESCUE PLAN ACT TO 171 LOCAL SMALL BUSINESSES LOCATED IN QUALIFIED CENSUS TRACTS IN THE CITY OF PUEBLO WHICH WERE THEREBY DISPROPORTIONATELY IMPACTED BY THE COVID-19 PANDEMIC, AS AUTHORIZED BY SECTION 603 OF THE AMERICAN RESCUE PLAN ACT AND U.S. TREASURY FINAL RULE 31 CFR 35.6**

A staff report and detailed review of the Resolution was given by Laura Solano, Chief of Staff.

Councilor Martinez Ortega, seconded by Councilor Flores, moved to approve the Resolution.

Roll Call - **Ayes:** Councilor Atencio, Councilor Flores, President Graham, Councilor Maestri, Councilor Martinez, Councilor Martinez Ortega, Councilor Winner. **Nays:** None. Motion Passed 7-0.

This Resolution was assigned as 15123.

### **Q3 A RESOLUTION AUTHORIZING PAYMENT FROM THE COUNCIL CONTINGENCIES ACCOUNT IN THE 2023 GENERAL FUND BUDGET TO THE LATINO CHAMBER DEVELOPMENT FOUNDATION IN THE AMOUNT OF \$2,000 TO SPONSOR THE 44TH ANNUAL DINNER ON SATURDAY, FEBRUARY 11, 2023 AT THE PUEBLO CONVENTION CENTER**

A staff report and detailed review of the Resolution was given by Councilor Dennis Flores.

Councilor Martinez Ortega, seconded by Councilor Martinez, moved to approve the Resolution.

Roll Call - **Ayes:** Councilor Atencio, Councilor Flores, President Graham, Councilor Maestri, Councilor Martinez, Councilor Martinez Ortega, Councilor Winner. **Nays:** None. Motion Passed 7-0.

This Resolution was assigned as 15124.

### **Q4 A RESOLUTION AUTHORIZING PAYMENT FROM THE COUNCIL CONTINGENCIES ACCOUNT IN THE 2023 GENERAL FUND BUDGET TO MT. CARMEL VETERANS SERVICE CENTER IN THE AMOUNT OF \$2,500 TO SPONSOR THE SALUTE TO HEROES RECEPTION ON THURSDAY, JANUARY 19, 2023 AT 4 PM**

A staff report and detailed review of the Resolution was given by Councilor Regina Maestri.

Councilor Martinez Ortega, seconded by Councilor Flores, moved to approve the Resolution.

Roll Call - **Ayes:** Councilor Atencio, Councilor Flores, President Graham, Councilor Maestri, Councilor Martinez, Councilor Martinez Ortega, Councilor Winner. **Nays:** None. Motion Passed 7-0.

This Resolution was assigned as 15125.

## **R. ORDINANCES – FINAL PRESENTATION**

### **R1 AN ORDINANCE APPROVING AND AUTHORIZING THE MAYOR TO SIGN A SUBRECIPIENT AGREEMENT BETWEEN THE CITY OF PUEBLO, A COLORADO MUNICIPAL CORPORATION AND PUEBLO COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF COLORADO, AS FISCAL AGENT OF THE PUEBLO COUNTY HOUSE BILL 04-1451 COLLABORATIVE MANAGEMENT PROGRAM, AS AUTHORIZED BY SECTION 603 OF THE AMERICAN RESCUE PLAN ACT AND U.S. TREASURY FINAL RULE 31 CFR 35.6 AND AUTHORIZING THE PAYMENT OF TWENTY-FIVE THOUSAND DOLLARS (\$25,000) FROM PROJECT NO. CI2113 - AMERICAN RESCUE PLAN ACT, FOR PURPOSES THEREOF**

A staff report and detailed review of the Ordinance was given by Daniel Kogovsek, City Attorney.

#### **PUBLIC HEARING:**

Seeing no one wished to speak, President Graham declared the Hearing closed.

Councilor Martinez Ortega, seconded by Councilor Martinez, moved to approve the Ordinance on final presentation.

Roll Call - **Ayes:** Councilor Atencio, Councilor Flores, President Graham, Councilor Maestri, Councilor Martinez, Councilor Martinez Ortega, Councilor Winner. **Nays:** None. Motion Passed 7-0.

This Ordinance was assigned as 10366.

### **R2 AN ORDINANCE ESTABLISHING PROJECT PL2201, WESTSIDE TRAIL (WILDHORSE TRAIL) PROJECT, AND APPROVING AN INTERGOVERNMENTAL AGREEMENT (IGA) BETWEEN THE CITY OF PUEBLO, A COLORADO MUNICIPAL CORPORATION, AND THE STATE OF COLORADO, ACTING BY AND THROUGH THE COLORADO DEPARTMENT OF TRANSPORTATION (CDOT), PROJECT: MTF M086-098 (25192) IN THE AMOUNT OF \$850,000, BUDGETING AND APPROPRIATING FUNDS IN THE AMOUNT OF \$850,000 AND AUTHORIZING THE MAYOR TO EXECUTE SAME**

A staff report and detailed review of the Ordinance was given by Andrew Hayes, Public Works Director.

#### **PUBLIC HEARING:**

Seeing no one wished to speak, President Graham declared the Hearing closed.

Councilor Martinez Ortega, seconded by Councilor Flores, moved to approve the Ordinance on final presentation.

Roll Call - **Ayes:** Councilor Atencio, Councilor Flores, President Graham, Councilor Maestri, Councilor Martinez, Councilor Martinez Ortega, Councilor Winner. **Nays:** None. Motion Passed 7-0.

This Ordinance was assigned as 10367.

**R3 AN ORDINANCE ESTABLISHING PROJECT PL2202, LAKE AVENUE AND ORMAN AVENUE ROUNDABOUT PROJECT, AND APPROVING AN INTERGOVERNMENTAL AGREEMENT (IGA) BETWEEN THE CITY OF PUEBLO, A COLORADO MUNICIPAL CORPORATION, AND THE STATE OF COLORADO, ACTING BY AND THROUGH THE COLORADO DEPARTMENT OF TRANSPORTATION (CDOT), PROJECT: SHO M086-097 (25101) IN THE AMOUNT OF \$1,350,000, TRANSFERRING \$150,000 FROM CI2204 TO PL2202, BUDGETING AND APPROPRIATING FUNDS IN THE AMOUNT OF \$1,500,000 AND AUTHORIZING THE MAYOR TO EXECUTE SAME**

A staff report and detailed review of the Ordinance was given by Andrew Hayes, Public Works Director.

**PUBLIC HEARING:**

Seeing no one wished to speak, President Graham declared the Hearing closed.

Councilor Martinez Ortega, seconded by Councilor Flores, moved to approve the Ordinance on final presentation.

Roll Call - **Ayes:** Councilor Atencio, Councilor Flores, President Graham, Councilor Maestri, Councilor Martinez, Councilor Martinez Ortega, Councilor Winner. **Nays:** None. Motion Passed 7-0.

This Ordinance was assigned as 10368.

**R4 AN ORDINANCE APPROVING AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF PUEBLO, A MUNICIPAL CORPORATION, AND THE PUEBLO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT, RELATED TO THE ESTABLISHMENT OF PUEBLO HISTORY AND ART WALK AND THE INSTALLATION OF COMMUNITY WAYFINDING AND GATEWAY SIGNS, AND AUTHORIZING THE MAYOR TO EXECUTE SAID AGREEMENT**

A staff report and detailed review of the Ordinance was given by Andrew Hayes, Public Works Director.

**PUBLIC HEARING:**

Seeing no one wished to speak, President Graham declared the Hearing closed.

Councilor Martinez Ortega, seconded by Councilor Flores, moved to approve the Ordinance on final presentation.

Roll Call - **Ayes:** Councilor Atencio, Councilor Flores, President Graham, Councilor Maestri, Councilor Martinez, Councilor Martinez Ortega, Councilor Winner. **Nays:** None.

Motion Passed 7-0.

This Ordinance was assigned as 10369.

**R5 AN ORDINANCE APPROVING AN AIRPORT USE AND LEASE AGREEMENT BETWEEN THE CITY OF PUEBLO, A MUNICIPAL CORPORATION, AND SOUTHERN AIRWAYS EXPRESS, LLC, AND AUTHORIZING THE MAYOR TO EXECUTE SAME**

A staff report and detailed review of the Ordinance was given by Greg Pedroza, Airport Director.

**PUBLIC HEARING:**

Seeing no one wished to speak, President Graham declared the Hearing closed.

Councilor Martinez Ortega, seconded by Councilor Maestri, moved to approve the Ordinance on final presentation.

Roll Call - **Ayes:** Councilor Atencio, Councilor Flores, President Graham, Councilor Maestri, Councilor Martinez, Councilor Martinez Ortega, Councilor Winner. **Nays:** None. Motion Passed 7-0.

This Ordinance was assigned as 10370.

**R6 AN ORDINANCE APPROVING AN AIRPORT COMMUNITY HANGAR LEASE AGREEMENT BETWEEN THE CITY OF PUEBLO, A MUNICIPAL CORPORATION, AND SOUTHERN AIRWAYS EXPRESS, LLC, AND AUTHORIZING THE MAYOR TO EXECUTE SAME**

A staff report and detailed review of the Ordinance was given by Greg Pedroza, Airport Director.

**PUBLIC HEARING:**

Seeing no one wished to speak, President Graham declared the Hearing closed.

Councilor Martinez Ortega, seconded by Councilor Martinez, moved to approve the Ordinance on final presentation.

Roll Call - **Ayes:** Councilor Atencio, Councilor Flores, President Graham, Councilor Maestri, Councilor Martinez, Councilor Martinez Ortega, Councilor Winner. **Nays:** None. Motion Passed 7-0.

This Ordinance was assigned as 10371.

**S. EMERGENCY ORDINANCES**

**S1 An Emergency Ordinance accepting the assignment of a contract to buy and sell real estate from Pueblo Rescue Mission, A Colorado nonprofit corporation, for purposes of purchasing 718 W. 4<sup>th</sup> Street, Pueblo, CO 81003 and authorizing the Mayor to execute an acceptance of said assignment**

A staff report and detailed review of the Ordinance was given by Daniel Kogovsek, City Attorney.

## **PUBLIC HEARING:**

Seeing no one wished to speak, President Graham declared the Hearing closed.

Councilor Martinez Ortega, seconded by Councilor Flores, moved to approve the Ordinance on final presentation.

Roll Call - **Ayes:** Councilor Atencio, Councilor Flores, President Graham, Councilor Martinez, Councilor Martinez Ortega. **Nays:** Councilor Maestri, Councilor Winner. Motion Passed 5-2.

This Ordinance was assigned as **10372**.

## **T. COUNCIL MEMBER CONFLICT OF INTEREST**

### **T1 A RESOLUTION AWARDING A CONSTRUCTION CONTRACT IN THE AMOUNT OF \$103,582.50 TO BAHAMAS CONSTRUCTION, INC., FOR PROJECT NO. 22-088, CONCRETE IMPROVEMENTS - CITY PARK POOL PARKING LOT, SETTING FORTH \$16,417.50 FOR CONTINGENCIES, AND AUTHORIZING THE PURCHASING AGENT TO EXECUTE SAME**

Councilor Maestri declared a conflict of interest and left the room.

A staff report and detailed review of the Resolution was given by Andrew Hayes, Director of Public Works.

Councilor Martinez Ortega, seconded by Councilor Flores, moved to approve the Resolution.

Roll Call - **Ayes:** Councilor Atencio, Councilor Flores, President Graham, Councilor Martinez, Councilor Martinez Ortega, Councilor Winner. **Nays:** None. Motion Passed 6-0.

This Resolution was assigned as **15126**.

## **U. ADJOURN**

President Graham adjourned the meeting at 8:58 p.m.

Respectfully submitted,



Marisa Stoller  
City Clerk